

Message Text

LIMITED OFFICIAL USE

PAGE 01 KUWAIT 03014 180942Z
ACTION NEA-11

INFO OCT-01 ISO-00 EB-08 /020 W
-----014226 180945Z /16
P R 180913Z MAY 78
FM AMEMBASSY KUWAIT
TO SECSTATE WASHDC PRIORITY 1016
INFO USDOC WASHDC

LIMITED OFFICIAL USE KUWAIT 3014

DEPT FOR NEA/ARP; USDOC FOR CAGNE

E.O. 11652: N/A
TAGS: BEXP, KU
SUBJ: FMC'S REFUSAL TO BID ON 20 MILLION DOLLAR BULK FERTILIZER
HANDLING SYSTEM

REF: (A) STATE 123433, (B) KUWAIT 2781, (C) KUWAIT 2589,
(D) KUWAIT 1958, (E) KUWAIT 1683

1. FMC LAWYER BRUCE SPOON TELEPHONED EMBOFFS MAYS16 FROM CHICAGO TO DISCUSS PROBLEMS RAISED REF A. EMBOFFS OPINED THAT CENTRAL TENDERS COMMITTEE SECRETARY PERHAPS VIEWED QUOTATION OF REFUSAL TO COMPLY (PARA 2 REF A) AS CONFRONTATIONAL ESPECIALLY SINCE HE APPEARED TO BE PARTICULARLY FORTHCOMING IN SUGGESTING HOW FMC COULD AVOID AGREEING TO LANGUAGE WHICH WOULD VIOLATE U.S. LAW.

2. WE UNDERSTAND THAT FMC WILL ATTEMPT TO DEVISE ALTERNATE LANGUAGE WHICH IS IN CONFORMITY WITH U.S. LAW AND ACCEPTABLE TO CENTRAL TENDERS COMMITTEE. WE BELIEVE THIS SHOULD POSE LITTLE DIFFICULTY, SINCE MANY U.S. FIRMS HAVE COME UP WITH SUCH LANGUAGE IN PAST FEW MONTHS AND SINCE FMC, AS WE HAVE REPEATED OVER AND OVER AGAIN, HAS AN EXCELLENT CHANCE OF RECEIVING THE AWARD IF THEY BID.

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3. ACTION REQUESTED: FMC SHOULD BE ENCOURAGED TO BID ON THIS PROJECT, SUPPLYING ONLY THAT DOCUMENTATION ALLOWED BY U.S. LAW, AS WELL AS A TIGHTLY WORDED DISCLAIMER THAT DOESN'T UNNECESSARILY EMBARRASS THE MINISTRY IN ITS EFFORTS TO "OVERLOOK" BOYCOTT CLAUSES.
SUTHERLAND

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
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Copy: SINGLE
Draft Date: 18 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Handling Restrictions: n/a
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ISecure: 1
Legacy Key: link1978/newtext/t19780546/aaaabmgf.tel
Line Count: 62
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ffc309b-c288-dd11-92da-001cc4696bcc
Office: ACTION NEA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
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Reference: 78 STATE 123433, 78 KUWAIT 2781, 78 KUWAIT 2589, 78 KUWAIT 1958, 78 KUWAIT 1683
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Status: NATIVE
Subject: FMC'S REFUSAL TO BID ON 20 MILLION DOLLAR BULK FERTILIZER HANDLING SYSTEM
TAGS: BEXP, KU
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/ffc309b-c288-dd11-92da-001cc4696bcc
Review Markings:
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Declassified/Released
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